

Exhibit B



DICELLO LEVITT GUTZLER

444 MADISON AVENUE FOURTH FLOOR NEW YORK, NEW YORK 10022

July 15, 2020

BY EMAIL: jonathan@warrenandbaram.com

Jonathan Baram
Warren & Baram Management LLC
2140 Pacific Blvd.
Atlantic Beach, New York 11509

Re: Confidential – Settlement Demand (Pursuant to Settlement Privilege)

Dear Mr. Baram,

We write this letter to you pursuant to Rule 408 of the Federal Rules of Civil Procedure and all applicable state counterparts. As such, our communications on this topic are protected by the settlement privilege.

DiCello Levitt Gutzler (“DLG”) has been retained to represent Jane Doe No. 13 in a civil action currently pending in the United States District Court for the Southern District of New York, styled *Jane Does Nos. 1-57 v. Nygard, et al.*, No. 20-cv-01288 (ER) (S.D.N.Y. Feb. 13, 2020), Judge Edgardo Ramos presiding, against Peter J. Nygard (“Nygard”) and the Nygard corporate entities, arising out of the sex trafficking of Jane Doe No. 13 by Nygard (a link to the Second Amended Complaint can be accessed here - <https://dicellevit.com/embattled-fashion-mogul-peter-nygard-accused-of-sexual-abuse-by-57-women-in-second-amended-complaint/>). Our corroborated investigation has revealed that you were complicit in the trafficking and likewise responsible for this horrific act.

This letter sets forth a summary of the liability and damages. Please also allow this letter to serve as a formal request for preservation of all documents, photographs, electronic communications, and other relevant evidence pertaining to your sex trafficking venture with Nygard.

General Background

This lawsuit arises out of Nygard’s decades-long sex trafficking venture and conspiracy. DLG and the Haba Law Firm represent more than 57 women who have come forward alleging that they are victims of Nygard’s sexual abuse and sex trafficking conspiracy. DLG has spoken with many witnesses, including many former-employees of Nygard and former members of his inner-circle, who corroborate the victims’ claims. The Second Amended Complaint, filed on June 10, 2020, details Nygard’s decades-long pattern and practice of sexual assault and rape—with the help of dozens of accomplices such as yourself—in violation of the Trafficking Victims Protection Reauthorization Act (“TVPRA”) and other state and foreign laws. The lawsuit seeks

civil damages on behalf of each of the named plaintiffs as well as a class of all others who have been sexually abused by Nygard.

The Trafficking Victims Protection Reauthorization Act

The TVPRA is a federal statute that outlaws sex trafficking activities that affect interstate or foreign commerce or take place within the territorial jurisdiction of the United States. The TVPRA makes it unlawful for:

(a) Whoever knowingly—

(1) in or affecting interstate or foreign commerce, or within the special maritime and territorial jurisdiction of the United States recruits, entices, harbors, transports, provides, obtains, advertises, maintains, patronizes, or solicits by any means a person; or

(2) benefits, financially or by receiving anything of value, from participation in a venture which has engaged in an act described in violation of paragraph (1),

knowing, or, except where the act constituting the violation of paragraph (1) is advertising, in reckless disregard of the fact, that means of force, threats of force, fraud, coercion described in subsection (e)(2), or any combination of such means will be used to cause the person to engage in a commercial sex act, or that the person has not attained the age of 18 years and will be caused to engage in a commercial sex act, shall be punished as provided in subsection (b).¹

The TVPRA applies not only to those who commit commercial sex acts, but also anyone, such as yourself, who receives anything of value from participation in the sex trafficking venture, knowing that means of force, fraud, or coercion will be used or that the person is under the age of 18, will be caused to engage in a commercial sex act.

Jane Doe No. 13

Jane Doe No. 13 is a Canadian citizen who resides in Canada. In the summer of 2007, when she was 17 years old, Jane Doe No. 13 traveled to New York City to pursue a modeling career. You lured, enticed, defrauded, and/or coerced Jane Doe No. 13 to meet with you at your private apartment in New York City under the guise of you representing her for a modeling and acting career in the United States. After Jane Doe No. 13 arrived at your apartment, you told her, knowing that Nygard would use means of force, fraud, and coercion to engage in commercial sex acts with Jane Doe No. 13, a minor at the time, that you had a very important friend in the fashion business named Peter Nygard and that you could set up a meeting between her and Nygard that would help further her career. You then told Jane Doe No. 13 that you needed to

¹ 18 U.S.C. § 1591(a).



send Nygard nude pictures of her for an upcoming swimsuit photo shoot in the Bahamas. You sent the photographs to Nygard and told Jane Doe No. 13 that she was “in luck” because Nygard wanted to “meet her.”

You then transported Jane Doe No. 13 to Nygard’s penthouse apartment in New York City, knowing that Nygard intended to have sex with Jane Doe No. 13, a minor. When Jane Doe No. 13 arrived at the apartment, you and others encouraged her to drink alcohol. After about an hour, Jane Doe No. 13 was taken to “meet” Nygard in a bedroom. Nygard falsely told Jane Doe No. 13 that she would be a good fit for a photo shoot he was having in the Bahamas. Jane Doe No. 13 lost consciousness shortly thereafter, due to the alcoholic drinks she was provided which she believes were also spiked with drugs.

Jane Doe No. 13 eventually woke up on her stomach, her dress was pulled up above her waist, and her underwear was removed. When she awoke, Nygard was sodomizing her. Nygard continued to sodomize Jane Doe No. 13 as she screamed and vomited. Nygard then raped Jane Doe No. 13 vaginally. After Nygard raped and sodomized her, Jane Doe No. 13 went into the bathroom and eventually returned to the other room where you were waiting. She asked if she could leave and you took her back to your apartment.

Jane Doe No. 13 slept on your sofa. She awoke in the middle of the night to you groping her and begged you to stop. In the morning, Jane Doe No. 13 immediately gathered her belongings and left as soon as she could.

Damages

Jane Doe No. 13, a 17-year-old minor, was brutally raped and sodomized by Nygard as a result of your trafficking of her to Nygard. As a result, she suffered physical injuries to her anus and vagina as well as severe emotional distress, including, but not limited to, severe anxiety, depression, sleep deprivation, and post-traumatic stress. Jane Doe No. 13 has endured severe mental anguish and emotional distress for the last 13 years.

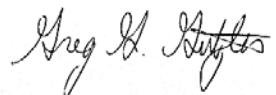
As a direct and proximate result of your conduct in trafficking Jane Doe No. 13, a minor, to Nygard, Jane Doe No. 13 suffered significant physical and emotional injuries. You, therefore, are jointly and severally liable for civil damages under the TVPRA for injuries that you caused to Jane Doe No. 13. You are also responsible for your conduct that evening/morning at your apartment that damaged Jane Doe 13.

Conclusion

I have discussed with my client the relevant causes of action that are available due to your actions. At this point, Jane Doe 13 offers you the opportunity to resolve this matter. My client’s demand to you is \$25,000,000.00. You must contact me within 5 days of receipt of this letter to discuss this offer of settlement. If we do not hear from you, we will assume you are not interested in pre-suit resolution and we will proceed with filing a civil lawsuit against you and your businesses, pursuing all potential relief available, including compensatory and punitive damages, attorneys’ fees, and costs.



Respectfully submitted,



Greg G. Gutzler